

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Western National Mutual Insurance  
Company, as subrogee of Matthew Eberhardt,

Court File No.: 0:16-CV-00150-MJD-FLN

Plaintiff,

vs.

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF DEFENDANT CHALLENGER  
SUPPLY HOLDINGS, INC.**

Daesung Celtic Enersys Co., Ltd., fka  
Daesung Celtic Co., Ltd., a foreign  
corporation, Challenger Supply Holdings,  
Inc., a foreign corporation, and Quietside  
Corporation, a foreign corporation,

Defendants.

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TO: Defendants above-named and its counsel of record, Scott M. Rusert, Esq., Brandie L. Morgenroth, Esq., Nilan Johnson Lewis, P.A., 120 South Sixth Street, Suite 400, Minneapolis, MN 55402:

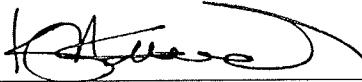
**PLEASE TAKE NOTICE** that pursuant to Rule 30(b)(6), Fed. R. Civ. P., Plaintiff will take the deposition of Defendant Challenger Supply Holdings, Inc., by oral examination before a Notary Public on **Monday, September 26, 2016 at 1:00 p.m.**, and thereafter by adjournment until the same shall be completed at the offices of Borgelt, Powell, Peterson & Frauen S.C., 7815 3<sup>rd</sup> Street North, Suite 203, Oakdale, Minnesota 55128.

This deposition will address the subject matters set forth on the attached **Exhibit A**. Defendant Challenger must designate the person(s) who will testify to these subject areas. The person(s) so designated must testify about information known or reasonably available to Defendant Challenger.

BORGELT, POWELL, PETERSON &  
FRAUEN S.C.

Dated: 9/13, 2016

By



Kevin J. Kennedy (#193872)

Forrest G. Hopper (#0389417)

7815 3<sup>rd</sup> Street North

Suite 203

Oakdale, MN 55128

Telephone: (651) 256-5000

Fax: (651) 340-1456

*Attorneys for Plaintiff*

**EXHIBIT A**

**Definitions**

1. "Product" refers to the Quietside water heater, Model No. ODW-120B that was located in the Eberhardt residence at the time of the fire underlying this lawsuit.

**Matters for Examination**

1. The chain of distribution or possession of the Product from the date of manufacture to the date of sale to the consumer.
2. All marketing, advertising, and sales activities and/or communications regarding the Product or other Model No. ODW-120B products in the United States.
3. All marketing, advertising, or sales literature, publications, or other written materials disseminated in the United States for the Product or other Model No. ODW-120B products.
4. The identity of all distributors, suppliers, retailers or other sellers of the Product and/or other Model No. ODW-120B products located in the United States.
5. All sales records relating to the purchase of the Product by the consumer.
6. The design of the Product, including any design modifications or changes.
7. The recall of the Product and/or other Model No. ODW-120B products, including the basis for the recall, the specific nature of the product defect and the failure mode(s).
8. All documentation relating to the recall of the Product and/or any related product, including but not limited to documents submitted to or received from the Consumer Product Safety Commission and/or any other government agencies or other third-parties.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Western National Mutual Insurance  
Company, as subrogee of Matthew Eberhardt,

Court File No.: 0:16-CV-00150-MJD-FLN

Plaintiff,

vs.

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF DEFENDANT QUIETSIDE  
CORPORATION**

Daesung Celtic Enersys Co., Ltd., fka  
Daesung Celtic Co., Ltd., a foreign  
corporation, Challenger Supply Holdings,  
Inc., a foreign corporation, and Quietside  
Corporation, a foreign corporation,

Defendants.

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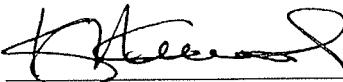
TO: Defendants above-named and its counsel of record, Scott M. Rusert, Esq., Brandie L. Morgenroth, Esq., Nilan Johnson Lewis, P.A., 120 South Sixth Street, Suite 400, Minneapolis, MN 55402:

**PLEASE TAKE NOTICE** that pursuant to Rule 30(b)(6), Fed. R. Civ. P., Plaintiff will take the deposition of Defendant Quietside Corporation., by oral examination before a Notary Public on **Monday, September 26, 2016 at 3:00 p.m.**, and thereafter by adjournment until the same shall be completed at the offices of Borgelt, Powell, Peterson & Frauen S.C., 7815 3<sup>rd</sup> Street North, Suite 203, Oakdale, Minnesota 55128.

This deposition will address the subject matters set forth on the attached **Exhibit A**. Defendant Quietside must designate the person(s) who will testify to these subject areas. The person(s) so designated must testify about information known or reasonably available to Defendant Quietside.

BORGELET, POWELL, PETERSON &  
FRAUEN S.C.

Dated: 9-13, 2016

By   
Kevin J. Kennedy (#193872)  
Forrest G. Hopper (#0389417)  
7815 3<sup>rd</sup> Street North  
Suite 203  
Oakdale, MN 55128  
Telephone: (651) 256-5000  
Fax: (651) 340-1456  
*Attorneys for Plaintiff*

**EXHIBIT A**

**Definitions**

1. "Product" refers to the Quietside water heater, Model No. ODW-120B that was located in the Eberhardt residence at the time of the fire underlying this lawsuit.

**Matters for Examination**

1. The chain of distribution or possession of the Product from the date of manufacture to the date of sale to the consumer.
2. All marketing, advertising, and sales activities and/or communications regarding the Product or other Model No. ODW-120B products in the United States.
3. All marketing, advertising, or sales literature, publications, or other written materials disseminated in the United States for the Product or other Model No. ODW-120B products.
4. The identity of all distributors, suppliers, retailers or other sellers of the Product and/or other Model No. ODW-120B products located in the United States.
5. All sales records relating to the purchase of the Product by the consumer.
6. The design of the Product; including any design modifications or changes.
7. The recall of the Product and/or other Model No. ODW-120B products, including the basis for the recall, the specific nature of the product defect and the failure mode(s).
8. All documentation relating to the recall of the Product and/or any related product, including but not limited to documents submitted to or received from the Consumer Product Safety Commission and/or any other government agencies or other third-parties.

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Western National Mutual Insurance  
Company, as subrogee of Matthew Eberhardt,

Court File No.: 0:16-CV-00150-MJD-FLN

Plaintiff,

vs.

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF DEFENDANT DAESUNG CELTIC  
ENERSYS CO., LTD**

Daesung Celtic Enersys Co., Ltd., fka  
Daesung Celtic Co., Ltd., a foreign  
corporation, Challenger Supply Holdings,  
Inc., a foreign corporation, and Quietside  
Corporation, a foreign corporation,

Defendants.

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TO: Defendants above-named and its counsel of record, Scott M. Rusert, Esq., Brandie L. Morgenroth, Esq., Nilan Johnson Lewis, P.A., 120 South Sixth Street, Suite 400, Minneapolis, MN 55402:

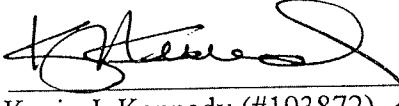
**PLEASE TAKE NOTICE** that pursuant to Rule 30(b)(6), Fed. R. Civ. P., Plaintiff will take the deposition of Defendant Daesung Celtic Enersys Co., Ltd., by oral examination before a Notary Public on **Monday, September 26, 2016 at 9:00 a.m.**, and thereafter by adjournment until the same shall be completed at the offices of Borgelt, Powell, Peterson & Frauen S.C., 7815 3<sup>rd</sup> Street North, Suite 203, Oakdale, Minnesota 55128.

This deposition will address the subject matters set forth on the attached **Exhibit A**. Defendant Daesung must designate the person(s) who will testify to these subject areas. The

BORGELT, POWELL, PETERSON &  
FRAUEN S.C.

Dated: 9-13, 2016

By

  
Kevin J. Kennedy (#193872)  
Forrest G. Hopper (#0389417)  
7815 3<sup>rd</sup> Street North  
Suite 203  
Oakdale, MN 55128  
Telephone: (651) 256-5000  
Fax: (651) 340-1456  
*Attorneys for Plaintiff*

**EXHIBIT A**

**Definitions**

1. "Product" refers to the Quietside water heater, Model No. ODW-120B that was located in the Eberhardt residence at the time of the fire underlying this lawsuit.

**Matters for Examination**

1. The chain of distribution or possession of the Product from the date of manufacture to the date of sale to the consumer.
2. All marketing, advertising, and sales activities and/or communications regarding the Product or other Model No. ODW-120B products in the United States.
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